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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Christoper Kohls,

Plaintiff,

v.

Rob Bonta, et al.,

Defendants.

Case No. 2:24-cv-02527-JAM-CKD

**Stipulation re Summary  
Judgment Briefing Schedule**

**Judge:** John A. Mendez

The Babylon Bee, LLC, et al.

Plaintiffs,

v.

Rob Bonta, et al.

Defendants.

**STIPULATION**

The parties stipulate to the following summary-judgment briefing schedule:

1. The parties agree to proceed immediately to summary judgment without the need for any discovery at this time. In the event that the parties determine that discovery is needed after the cross-motions are filed, the parties shall discuss and agree to a limited period of discovery and accompanying extension of time to file any remaining briefs.

2. The parties agree to the following briefing schedule:

- a. January 15, 2025 – Plaintiffs’ opening briefs for summary judgment, with a limit of 30 pages
- b. March 12, 2025 – Defendants’ consolidated opposition and cross-motion for summary judgment, with a limit of 55 pages

1 c. April 11, 2025 – Plaintiffs’ consolidated opposition and reply briefs,  
2 with a limit of 30 pages

3 d. May 2, 2025 – Defendants’ reply brief, with a limit of 15 pages

4 3. The parties request the proposed timeline given the upcoming holiday  
5 schedule; counsels’ outstanding deadlines in other matters, including appellate  
6 briefs in *In re Broiler Chicken Antitrust Litig.*, No. 24-2387 (7th Cir.), *Leroy v.*  
7 *Livingston Manor Cent. Sch. Dist.*, No. 24-1241 (2d Cir.), and *In re Wawa, Inc. Data*  
8 *Sec. Litig.*, No. 24-1874 (3d Cir.); Plaintiffs’ desire to coordinate their separate  
9 summary judgment motions; and the complexity of responding to two summary  
10 judgment motions in one consolidated cross-motion and response.

11 4. This schedule provides extra pages for Defendants responding to two  
12 (2) briefs, more generous than the 10% allowance the Ninth Circuit provides for  
13 parties responding to two (2) briefs. 9th Cir. R. 32-2(b).

14 5. The parties agree that the Court may move to summary judgment  
15 without Defendants first filing an answer. *See, e.g., Marquez v. Cable One, Inc.*, 463  
16 F.3d 1118, 1120 (10th Cir. 2006).

DATED: November 13, 2024

s/ Johannes Widmalm-Delphonse

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s/ Kristin A. Liska

(authorized 11.13.24)

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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Christoper Kohls,

Plaintiff,

v.

Rob Bonta, et al.,

Defendants.

Case No. 2:24-cv-02527-JAM-CKD

**[PROPOSED] ORDER for  
Briefing Schedule on  
Summary Judgment**

**Judge:** John A. Mendez

The Babylon Bee, LLC, et al.

Plaintiffs,

v.

Rob Bonta, et al.

Defendants.

Before the Court are Plaintiff Christopher Kohls, Plaintiffs The Babylon Bee, LLC and Kelly Chang Rickert, and Defendants Rob Bonta and Shirley N. Weber's joint stipulation for a summary-judgment briefing schedule.

The Court ORDERS the following schedule:

1. Plaintiffs shall file their opening summary-judgment briefs of no more than 30 pages each by January 15, 2025.
2. Defendants shall file a consolidated cross-motion for summary judgment and/or opposition brief of no more than 55 pages by March 12, 2025.
3. Plaintiffs shall each file their respective consolidated opposition and reply brief of no more than 30 pages by April 11, 2025.
4. Defendants shall file their reply brief of no more than 15 pages by May 2, 2025.

1 It is so ORDERED.

2  
3 DATED: \_\_\_\_\_, 2024

\_\_\_\_\_  
The Honorable John A. Mendez  
Senior United States District Judge

**PROOF OF SERVICE**

I hereby certify that I filed a true and accurate copy of the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all counsel of record.

DATED this 13th day of November, 2024.

s/ Johannes Widmalm-Delphonse  
Johannes Widmalm-Delphonse  
Counsel for Plaintiffs The Babylon  
Bee, LLC and Kelly Chang Rickert